<center>**REMARKS**</center>

The Examiner objected to claim 14 due to informalities. Claim 14 has been amended.

The Examiner rejected claims 31-32 under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter. Claims 31-32 have been amended

The Examiner rejected claims 5, and 15-22 under 35 U.S.C. 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 5 and 15-22 have been amended.

Claim 13 has been cancelled.

The Examiner rejected claims 14, 23-28 and 30-32 under 35 U.S.C. 102(e) as being anticipated by Shinomiya (U.S. 2003/0037165).

The Examiner rejected claims 1-6, 8-11, 13, 15-22, and 29 under 35 U.S.C. 103(a) as being unpatentable over Shinomiya (U.S. 2003/0037165) in view of Walsh et al. (U.S. 2002/0099972).

The Examiner rejected claims 7 and 12 under 35 U.S.C. 103(a) as being unpatentable over Shinomiya (U.S. 2003/0037165) in view of Walsh et al. (U.S. 2002/0099972), as applied to the parent claim, and further in view of Kanekar (U.S. 6,751,191).

Shinomiya differs from the presently claimed invention as Shinomiya merely describes a standard virtual switch comprising a master switch and a slave switch and communication between them. Shinomiya, however, fails to teach or suggest the use of a virtual switch as a distribution switch. Shinomiya's virtual switch is a core switch, i.e., a switch that performs routing of general network traffic. As described in the background section of the present invention, a typical network design (as further illustrated by FIG. 1) includes a core layer 105 connected to a data center 110 and/or Internet 115. Core layer 105 generally includes two switches (master and slave in a virtual switch) used for redundancy purposes. Thus Shinomiya teaches no more than what is taught by the background section of the present invention. Such a

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configuration is distinguishable from the configuration of the current claims, however, for the reasons outlined above.

Additionally, Shinomiya also fails to teach or suggest a virtual switch receiving network management instructions from a satellite switch. Namely, there is no satellite switch sending management instructions. Shinomiya appears instead to be directed towards a much much simpler network design only containing core switches.

Independent claims 1, 14, 30, and 31 have been amended to make this distinction more clear. As such, Applicant respectfully submits that claims 1, 14, 30, and 31 are now in condition for allowance.

Dependent claims 2-12, 15-29 and 32 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For example, claim 28 indicates that the virtual switch is further configured to send management and/or configuration instructions to core switches in the network. This is not found in the cited prior art. For at least these reasons, claims 2-12, 15-29 and 32 are not anticipated or made obvious by the prior art and/or the official notice outlined in the Office Action.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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